



General Assembly

February Session, 2010

Raised Bill No. 310

LCO No. 1459

01459_____PS_

Referred to Committee on Public Safety and Security

Introduced by:
(PS)

***AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR TECHNICAL CORRECTIONS TO THE
PUBLIC SAFETY STATUTES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-317 of the 2010 supplement to the general
2 statutes, as amended by section 7 of public act 09-177, is repealed and
3 the following is substituted in lieu thereof (*Effective January 1, 2011*):

4 (a) The Commissioner of Public Safety shall adopt regulations, in
5 accordance with the provisions of chapter 54, prescribing reasonable
6 minimum requirements for the installation of oil burners and
7 equipment used in connection therewith, including tanks, piping,
8 pumps, control devices and accessories. Such regulations shall be
9 incorporated into the State Fire Prevention Code and shall include
10 provisions for the prevention of injury to life and damage to property,
11 and protection from hazards incident to the installation and operation
12 of such oil burners and equipment.

13 (b) No regulation made in accordance with this section shall apply
14 to any electric company, gas company or electric distribution company

15 as such terms are defined in section 16-1.

16 Sec. 2. Section 29-320 of the 2010 supplement to the general statutes,
17 as amended by section 8 of public act 09-177, is repealed and the
18 following is substituted in lieu thereof (*Effective January 1, 2011*):

19 The Commissioner of Public Safety shall adopt [and enforce,] and
20 may amend, reasonable regulations in accordance with the provisions
21 of chapter 54, concerning the safe storage, use, transportation by any
22 mode and transmission by pipeline of flammable or combustible
23 liquids. Such regulations shall be incorporated into the State Fire
24 Prevention Code and shall include provisions for the prevention of
25 damage to property and injury to life, and protection from hazards
26 incident to the storage, use, transportation by any mode and
27 transmission by pipeline of such liquids. The commissioner shall
28 enforce such regulations. Such regulations shall not apply to any
29 electric company, electric distribution company or gas company, as
30 such terms are defined in section 16-1.

31 Sec. 3. Section 29-324 of the 2010 supplement to the general statutes,
32 as amended by section 11 of public act 09-177, is repealed and the
33 following is substituted in lieu thereof (*Effective January 1, 2011*):

34 Any person who, by himself or his employee or agent, or as the
35 employee or agent of another, operates or permits the operation of a
36 motor vehicle in violation of section 29-322 [,] shall be fined not more
37 than five hundred dollars or imprisoned not more than six months or
38 both for the first offense, and not less than five hundred dollars [nor]
39 or more than one thousand dollars or imprisoned not more than one
40 year or both for each subsequent offense. If death or injury results from
41 any such violation, the fine shall be not more than ten thousand dollars
42 and the period of imprisonment not more than ten years or both.

43 Sec. 4. Section 29-367 of the 2010 supplement to the general statutes,
44 as amended by section 18 of public act 09-177, is repealed and the
45 following is substituted in lieu thereof (*Effective January 1, 2011*):

46 (a) The Commissioner of Public Safety shall adopt, [and enforce,
47 and may amend, reasonable regulations, in accordance with the
48 provisions of chapter 54, concerning the safe design, construction,
49 manufacture, testing, certification, storage, sale, shipping, operation
50 and launching of rockets propelled by rocket motors, including, but
51 not limited to, solid, liquid and cold propellant, hybrid, steam or
52 pressurized liquid rocket motors. Such regulations shall be
53 incorporated into the State Fire Prevention Code and include
54 provisions for the prevention of injury to life and damage to property
55 and protection of hazards incident to the design, construction,
56 manufacture, testing, storage, sale, shipping, operation and launching
57 of such rockets. The commissioner shall enforce such regulations.

58 (b) Such regulations shall not apply to (1) the design, construction,
59 production, fabrication, manufacture, maintenance, launching, flight,
60 test, operation, use of [] or any activity in connection with a rocket or
61 rocket motor when carried on by or engaged in by the government of
62 the United States or any state government, any college, university or
63 other institution of higher learning, any individual, firm, partnership,
64 joint venture, corporation [] or other business entity engaged in
65 research, development, production, test, maintenance [] or supply of
66 rockets, rocket motors, rocket propellants [] or rocket components as a
67 business under contract to or for the purposes of sale to any
68 government, college, university, institution of higher learning [] or
69 other similarly engaged business entity; or (2) the design, construction,
70 production, fabrication, manufacture, maintenance, launching, flight,
71 test, operation, use of [] or any activity in connection with rocket-
72 propelled model aircraft which sustain themselves against gravity by
73 aerodynamic lifting surfaces during the entire duration of their flight
74 in the air, or to the rocket motors that provide propulsion therefor.

75 Sec. 5. Section 22a-448 of the 2010 supplement to the general
76 statutes, as amended by section 23 of public act 09-177, is repealed and
77 the following is substituted in lieu thereof (*Effective January 1, 2011*):

78 For the purposes of sections 22a-133a to 22a-133j, inclusive, sections
79 22a-448 to 22a-454, inclusive, and section 22a-457a:

80 (1) "Chemical liquids" means any chemical, chemical solution or
81 chemical mixture in liquid form;

82 (2) "Emergency" means any situation which requires state or local
83 efforts to save lives and protect property and public health or safety or
84 to avert or lessen the threat of disaster;

85 (3) "Hazardous waste" means any waste material which may pose a
86 present or potential hazard to human health or the environment when
87 improperly treated, stored, transported or disposed of or otherwise
88 managed including hazardous waste identified in accordance with
89 Section 3001 of the Resource Conservation and Recovery Act of 1976,
90 [(42 USC 6901 et seq.)] 42 USC 6901 et seq.;

91 (4) "Oil or petroleum" means oil or petroleum of any kind or in any
92 form including, but not limited to, waste oils and distillation products
93 such as fuel oil, kerosene, naphtha, gasoline and benzene, or their
94 vapors;

95 (5) "Solid, liquid or gaseous products" means any substance or
96 material including, but not limited to, hazardous chemicals, flammable
97 liquids, as defined in section 29-320, explosives as defined in section
98 29-343, liquefied petroleum gas, as defined in section 43-36, hazardous
99 materials designated in accordance with the Hazardous Materials
100 Transportation Act, [(49 USC 1801 et seq.)] 49 USC 1801 et seq. and
101 hazardous substances designated in accordance with Section 311 of the
102 federal Water Pollution Control Act;

103 (6) "Waste oil" means oil having a flash point at or above one
104 hundred forty degrees Fahrenheit (sixty degrees Centigrade) which is
105 no longer suitable for the services for which it was manufactured due
106 to the presence of impurities or a loss of original properties, including,
107 but not limited to, crude oil, fuel oil, lubricating oil, kerosene, diesel

108 fuels, cutting oil, emulsions, hydraulic oils, polychlorinated biphenyls
109 and other halogenated oils that have been discarded as waste or are
110 recovered from oil separators, oil spills, tank bottoms or other sources;

111 (7) "Floating boom retention device" means a floating containment
112 barrier used to contain floating oil or petroleum;

113 (8) "Hazardous chemicals" means (A) any materials that are highly
114 flammable or that may react to cause fires or explosions, or which by
115 their presence create or augment a fire or explosion hazard, or which
116 because of their toxicity, flammability or liability to explosion render
117 fire fighting abnormally dangerous or difficult; (B) flammable liquids
118 that are chemically unstable and that may spontaneously form
119 explosive compounds, or undergo spontaneous reactions of explosive
120 violence, or with sufficient evolution of heat to be a fire hazard; or (C)
121 such materials as compressed gases, liquefied gases, flammable solids,
122 corrosive liquids, oxidizing materials, potentially explosive chemicals,
123 highly toxic materials and poisonous gases;

124 (9) "Compressed gas" means any mixture or material having in the
125 container either an absolute pressure exceeding forty pounds per
126 square inch at seventy degrees Fahrenheit, or an absolute pressure
127 exceeding one hundred four pounds per square inch at one hundred
128 thirty degrees Fahrenheit, or both, or any liquid flammable material
129 having a vapor pressure exceeding forty pounds per square inch at one
130 hundred degrees Fahrenheit;

131 (10) "Corrosive liquids" means those acids, alkaline caustic liquids
132 and other corrosive liquids that, when in contact with living tissue,
133 will cause severe damage of such tissue by chemical action or are liable
134 to cause fire when in contact with organic matter or with certain
135 chemicals;

136 (11) "Flammable solid" means a solid substance, other than one
137 classified as an explosive, that is liable to cause fires through friction,
138 absorption of moisture, spontaneous chemical changes or as a result of

139 retained heat from manufacturing or processing;

140 (12) "Highly toxic materials" means materials so toxic to man as to
 141 afford an unusual hazard to life and health during firefighting
 142 operations, including parathion, malathion, TEPP (tetraethyl
 143 phosphate), HETP (hexaethyl tetraphosphate), and similar insecticides
 144 and pesticides;

145 (13) "Oxidizing materials" means substances such as chlorates,
 146 permanganates, peroxides or nitrates, that yield oxygen readily to
 147 stimulate combustion;

148 (14) "Poisonous gas" means and includes any noxious gas of such
 149 nature that a small amount of the gas when mixed with air is
 150 dangerous to life, including chlorpicrin, cyanogen, hydrogen cyanide,
 151 nitrogen peroxide and phosgene;

152 (15) "Potentially explosive chemical" means any chemical substance,
 153 other than one classified as an explosive, which can be exploded by
 154 heat or shock when it is unconfined and unmixed with air or other
 155 materials; and

156 (16) "Vapor pressure" means the pressure, measured in pounds per
 157 square inch (absolute), exerted by a volatile liquid as determined by
 158 the nationally recognized good practice known as the Reid method.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2011</i>	29-317
Sec. 2	<i>January 1, 2011</i>	29-320
Sec. 3	<i>January 1, 2011</i>	29-324
Sec. 4	<i>January 1, 2011</i>	29-367
Sec. 5	<i>January 1, 2011</i>	22a-448

Statement of Purpose:

To make various technical and grammatical corrections to the public safety statutes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]